

## **REMARKS/ARGUMENTS**

### **I. Subject Matter Rejection**

Claims 1-65 are rejected as directed to non-statutory subject matter under 35 U.S.C. 101. The rejection is respectfully traversed as applied to the amended claims. The independent claims are claims 1, 16, 39, 56, 66, and 67.

- Independent claims 1, 16, 39, and 56 are amended to require one or more locking and unlocking steps of the database prior to and after, respectively, one or more approval steps. Support for this amendment is at, e.g., p. 9, lines 1-9 of the specification. This requires use of the technological arts.
- Independent claims 1, 16, 39, 56, and 67 are amended to incorporate the limitations of dependent claims 2 and 12 reciting a database and email notifications, respectively. Claims 2 and 12 are canceled. The database element is clarified to be a computer readable one. Support is at, e.g., p. 6, l. 16; p. 6, ll. 2-6; and p. 7, l. 7, of the specification. Further each independent claim is amended to require the email notifications be automated with a software code portion listener module. Support for this amendment is at, e.g., p. 9, lines 1-9 of the specification. Support for this amendment is at, e.g., p. 10, lines 16-25 of the specification. This requires use of the technological arts.
- Independent claims 16, 39, and 56 require a computer readable database.
- Independent claim 66 is canceled.

- Independent claim 67 is amended to recite to “computer readable” database and a “computer” network. Support is at, e.g., p. 6, l. 16; p. 6, ll. 2-6; and p. 7, l. 7, of the specification.

## II. Section 112 Rejection

Claims 1-65 are rejected as indefinite under Section 112, paragraph 2. The rejection is respectfully traversed as applied to the amended claims.

Regarding “Base Technology”: The term “base technology” is defined in the specification page 6, line 22 – page 7, line 3 as:

“Typically, upon a favorable economic analysis step 320, the next step is finalizing the customer’s requirements, step 330. The final requirements are passed to step 340 for selecting a base technology. A base technology is the typical starting technology which either meets all or some of the customer requirements from step 330 or can be modified to meet them. In the case of a chemical product, for example, the base technology may be a chemical formula to which additional components may be added. In manufacturing a mechanical product, e.g., an automobile, the base technology may be a particular chassis frame and drive train. The results of this step are optionally stored in the computer readable database.”

This is a sufficient description/definition for one skilled in the art and the patent applicant may be one’s own lexicographer.

Regarding “Product”: The element is introduced in the first claim element ‘a’ of claim 1, so antecedent basis is provided for later recitations. Examples of “products” in various arts are given in the specification at, e.g., page 6, line 25 – page 7, line 2. Determining customer requirements for a product is within the

skill in the art and determining product parameters, if necessary, is included within that determination.

Regarding "Investment": Determining a return on investment for a proposed product is within the skill in the art and it would include knowing the proposed outlay of money to develop a product and expected income from selling the product. Economic analysis is discussed in the specification at, e.g., page 6, lines 16 – 20.

Regarding claim 1, step e - "selecting a base technology": This step is not limited in its implementation and may be manual, automated, or mixtures thereof. It is within the skill in the art to select a base technology and may include manual and/or computer-implemented steps. Computer-implementation for any steps is discussed in the specification at, e.g., page 6, lines 2 – 12.

III. Anticipation Rejection over Bowman-Amuah:

Claims 1-69 are rejected as anticipated by Bowman-Amuah. The rejection is respectfully traversed as applied to the claims as amended. Claims 2, 12, and 66 are canceled.

Claims 1, 16, 39, 56, and 67, all of the pending independent claims, are amended to limit them to chemical technology. The amendment is supported in the specification at, e.g., page 1, line 14; page 2, line 23; page 6, lines 25-26; and page 8, line 4. Bowman-Amuah is limited solely to the development of computer software. It does not teach or suggest chemical product development systems.

A further limitation is added which is applicable to chemical products is testing for compliance of health and safety laws. The amendment is supported in the specification at, e.g., page 2, line 16; and page 7, lines 17 and 21-26. .

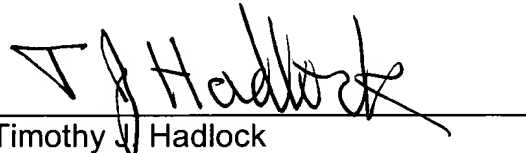
Bowman-Amuah does not teach or suggest testing for compliance of health and safety laws and regulations.

Claim 1 is amended and claim 70 is added to require electronically send compliance reports to a government agency. These amendments are supported at page 7, lines 11-26 of the specification.

IV. Conclusion

From the foregoing, it is submitted that Applicants' claims as amended define subject matter that is statutory and novel. Claims 1, 3-11, 13-65, and 67-69 are pending. Claims 2, 12, and 66 are canceled. Accordingly, allowance of claims 1, 3-11, 13-65, and 67-69 is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TJ Hadlock', is written over a horizontal line.

Timothy J. Hadlock  
Attorney for Applicants  
Reg. No. 35,531  
(925) 842-1884

TJHadlock:TJH

Aug 22, 2005